

IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

and

THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 23200 of 2004

Between:

M/s Lakshmi Constructions, Plot No. 156/E&F, IDA, Phase II,
Cherlapally, Ranga Reddy District, Rep. by its Proprietress Mrs.K.V. Lakshmi W/o
Mr.K.V. Narasimha Rao.

..... PETITIONER

AND

1. The Principal Secretary to Government of Andhra Pradesh, Revenue (C.T.II) Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner of Commercial Taxes, Opp: to Gandhi Bhavan, M.J. Road, Hyderabad.
3. The Dy. Commercial Tax Officer, Nacharam Circle, A/113, HMT Nagar, Nacharam, R.R. District,

Hyderabad- 500 076.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction one in the nature of Writ of Mandamus declaring the action of the respondents in passing the restrain order dt. 22-11-2004 as unjust, arbitrary, illegal and against principles of natural justice and consequently this Hon'ble Court may be pleased to set aside the destrain order dt. 22-11-2004 with further directing not to initiate any coercive steps until disposal of the writ petition and to pass further orders or directions.

Counsel for the Petitioner: MR.V.S.SOMAYAJULU.

Counsel for the Respondents: SPECIAL GP FOR TAXES.

The Court at the stage of admission made the following :

THE HON'BLE SRI JUSTICE M.H.S.ANSARI

AND

THE HON'BLE SRI JUSTICE T.CH.SURYA RAO

-

W.P.NO.23200 OF 2004

-

ORAL JUDGMENT:

(Per the Hon'ble Sri Justice Ansari)

It has been brought to our notice by the learned standing counsel for the department that earlier, petitioner herein has filed a writ petition in W.P.No.444 of 2003 seeking payment of sales tax in installments. The said writ petition was disposed of with certain directions on 17-01-2003.

We find that the said fact has been suppressed in the instant writ petition, therefore, we are not inclined to entertain the instant writ petition for suppression of material facts and accordingly dismiss the same on the said ground at the stage of admission.

M.H.S.Ansari, J

T.Ch.Surya Rao, J

18th January, 2005.

mrk

To

1. The Principal Secretary to Government of Andhra Pradesh, Revenue (C.T.II) Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner of Commercial Taxes, Opp: to Gandhi Bhavan, M.J. Road, Hyderabad.
3. The Dy. Commercial Tax Officer, Nacharam Circle, A/113, HMT Nagar, Nacharam, R.R. District, Hyderabad-500076.
4. Two CCs to the G.P. for Commercial Taxes (OUT).
5. Two CD copies.

